

SUPREME COURT

Budget Summary							
Fund	2000-01 Base Year Doubled	2001-03 Governor	2001-03 Jt. Finance	2001-03 Legislature	2001-03 Act 16	Act 16 Change Over Base Year Doubled	
						Amount	Percent
GPR	\$20,680,200	\$22,410,300	\$21,872,200	\$22,277,600	\$22,079,000	\$1,398,800	6.8%
FED	806,400	806,400	806,400	806,400	806,400	0	0.0
PR	22,460,400	23,355,000	23,355,000	23,355,000	23,355,000	894,600	4.0
SEG	<u>1,339,200</u>	<u>1,418,200</u>	<u>1,418,200</u>	<u>1,418,200</u>	<u>1,418,200</u>	<u>79,000</u>	<u>5.9</u>
TOTAL	\$45,286,200	\$47,989,900	\$47,451,800	\$47,857,200	\$47,658,600	\$2,372,400	5.2%

FTE Position Summary						
Fund	2000-01 Base	2002-03 Governor	2002-03 Jt. Finance	2002-03 Legislature	2002-03 Act 16	Act 16 Change Over 2000-01 Base
GPR	111.50	111.50	111.50	112.50	111.50	0.00
FED	1.00	1.00	1.00	1.00	1.00	0.00
PR	85.50	86.00	86.00	86.00	86.00	0.50
SEG	<u>5.00</u>	<u>5.00</u>	<u>5.00</u>	<u>5.00</u>	<u>5.00</u>	<u>0.00</u>
TOTAL	203.00	203.50	203.50	204.50	203.50	0.50

Budget Change Items

1. STANDARD BUDGET ADJUSTMENTS [LFB Paper 622]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
GPR	\$2,764,100	- \$538,100	\$2,226,000
PR	114,200	0	114,200
SEG	<u>79,000</u>	<u>0</u>	<u>79,000</u>
Total	\$2,957,300	- \$538,100	\$2,419,200

Governor: Provide \$1,366,500 GPR, \$57,100 PR and \$39,500 SEG in 2001-02 and \$1,397,600 GPR, \$57,100 PR and \$39,500 SEG in 2002-03 for the following: (a) removal of noncontinuing elements from the base (-\$24,000 GPR and -\$528,600 PR annually); (b) full funding of continuing salaries and fringe benefits (\$342,000 GPR, \$532,700 PR and \$38,000 SEG annually); (c) BadgerNet increases (\$53,000 PR annually); (d) fifth week of vacation as cash

(\$10,400 GPR and \$1,500 SEG annually); and (e) full funding of lease costs and directed moves (\$1,038,100 GPR in 2001-02 and \$1,069,200 GPR in 2002-03). Funding for lease costs and directed moves is provided for the State Law Library's move to the new Justice Center Building, scheduled for December, 2002.

Joint Finance/Legislature: Reduce funding for Law Library rent at the new Justice Center by \$253,500 GPR in 2001-02 and by \$284,600 GPR in 2002-03.

2. BASE BUDGET REDUCTIONS [LFB Paper 245]

	Governor (Chg. to Base)	Legislature (Chg. to Gov)	Net Change
GPR	- \$1,034,000	\$206,800	- \$827,200

Governor: Make the following reductions to GPR appropriations: (a) the Director of State Courts general program operations appropriation (-\$252,800 annually); (b) the Supreme Court's sum sufficient general program operations appropriation (-\$211,700 annually); and (c) the State Law Library's general program operations appropriation (-\$52,500 annually). These amounts represent a reduction of 5% of the Court's total GPR adjusted base for state operations.

Senate: Reduce the Supreme Court's total GPR adjusted base for state operations by 1% annually, rather than 5% annually. Restore the following amounts to the following Court GPR appropriations: (a) the Director of State Courts' general program operations appropriation (\$202,200 annually); (b) the Supreme Court's sum sufficient general program operations appropriation (\$169,400 annually); and (c) the State Law Library's general program operations appropriation (\$42,000 annually).

Conference Committee/Legislature: Reduce the Supreme Court's total GPR adjusted base for state operations by 4% annually, rather than 5% annually. Restore the following amounts to the following Court GPR appropriations: (a) the Director of State Courts' general program operations appropriation (\$50,500 annually); (b) the Supreme Court's sum sufficient general program operations appropriation (\$42,400 annually); and (c) the State Law Library's general program operations appropriation (\$10,500 annually).

3. STATE LAW LIBRARY GIFTS AND GRANTS APPROPRIATION

PR	\$450,000
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Governor/Legislature: Provide \$225,000 annually to increase the Wisconsin State Law Library's (WSLL) gifts and grants appropriation to reflect the contracts entered into between the Supreme Court and Milwaukee and Dane Counties for law library services. Under these contracts, the WSLL operates the Milwaukee Legal Resource Center, the Dane County Law Library and provides assistance for Milwaukee County Circuit Court judges' staff. The WSLL

also provides books for the Milwaukee judges' chamber collection, whose costs are reimbursed by Milwaukee County and deposited in this appropriation.

4. OFFICE OF LAWYER REGULATION APPROPRIATION

PR	\$211,200
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Governor/Legislature: Provide \$105,600 annually to increase the Office of Lawyer Regulation (OLR) appropriation to reflect its 2000-01 budget as approved by the Supreme Court. The funds would be primarily used to support the reorganized structure of OLR as well as for master lease payments to upgrade OLR information technology equipment. Program revenue is generated from a portion of the annual dues that Wisconsin attorneys pay to the State Bar of Wisconsin.

5. JUDICIAL EDUCATION FOR COURT COMMISSIONERS

	Funding Positions	
PR	\$99,200	0.50

Governor: Provide \$42,700 in 2001-02 and \$56,500 in 2002-03 and a 0.5 education manager position annually and create a court commissioner training program revenue appropriation to provide training programs for circuit court commissioners. According to recently revised Supreme Court Rules, court commissioners are required to fulfill continuing education requirements. Program revenue would be generated by fees charged for the court commissioner training programs. Statutory language would, however, need to be added to the bill authorizing the court commissioner training fee. In its budget request, the Court estimated that fees of \$500 per year per full-time court commissioner and \$250 per year per part-time court commissioner would generate \$63,000 in program revenue annually.

Joint Finance/Legislature: Provide that the Supreme Court must charge court commissioners a fee for the costs of the training programs provided by the Supreme Court.

Veto by Governor [D-27]: Delete the requirement that court commissioners be charged the fee. In his veto message, the Governor indicates that this will maintain the current billing practice, with the fee assessed to the county where the court commissioner is employed.

[Act 16 Sections: 927 and 3780q]

[Act 16 Vetoed Section: 3780q]

6. MATERIALS AND SERVICES APPROPRIATION

PR	\$20,000
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Governor/Legislature: Provide \$10,000 annually to increase the materials and services appropriation to reflect anticipated 2000-01 expenditures. This appropriation funds the activities of court forms development and the production of citation forms. Program revenue is generated from photocopy fees as well as the sale of uniform court forms, pamphlets and computer-generated special reports of court information data.

7. COURT INTERPRETERS [LFB Paper 275]

	Legislature (Chg. to Base)		Veto (Chg. to Leg)		Net Change	
	Funding	Positions	Funding	Positions	Funding	Positions
GPR	\$198,600	1.00	- \$198,600	- 1.00	\$0	0.00

Senate/Assembly/Legislature: Provide \$97,800 in 2001-02 and \$100,800 in 2002-03 and 1.0 two-year project interpreter coordinator position annually to the Court's Director of State Courts Office to develop a court interpreter certification and education and training program. [See "Circuit Courts" for additional court interpreter changes.]

Veto by Governor [D-25]: Delete provision.

[Act 16 Vetoed Sections: 395 (as it relates to s. 20.680(2)(a)) and 9147(1n)]

8. DIRECTOR OF STATE COURTS' GENERAL PROGRAM OPERATIONS APPROPRIATION

Senate/Legislature: Convert the Director of State Courts' GPR general program operations appropriation from an annual to a biennial appropriation.

Veto by Governor [D-28]: Delete provision.

[Act 16 Vetoed Section: 926r]

9. PRISON IMPACT ASSESSMENTS

Senate: Provide \$101,500 GPR and \$141,900 PR and 2.25 GPR positions and 2.0 PR positions (1.5 one-year project and 0.5 permanent) in 2001-02 and \$113,300 GPR and \$30,800 PR and 2.25 GPR positions and 0.5 PR position in 2002-03 and require the Director of State Courts to prepare a prison impact assessment for any bill or, if requested, for any bill draft that creates a felony or modifies the period of imprisonment for a felony. Specify that except as otherwise provided by the joint rules of the Legislature, the Director is required to prepare the assessment within 21 calendar days after the date on which the Director receives a copy of a bill or the date on which the Director receives a request to prepare the assessment from the requester of the bill draft, whichever occurs first.

Require that the assessment contain all of the following: (a) projections of the impact on statewide populations of prisoners, probationers, parolees and persons on extended supervision; (b) an estimate of the fiscal impact of population changes on state expenditures, including expenditures for the construction and operation of state prisons for the current fiscal year and the five succeeding fiscal years; (c) an analysis of any significant factor, not covered in complying with the previous two requirements, affecting the cost of the bill or bill draft and the

factor's impact on prosecutors, the state public defender and courts; and (d) a statement of the methodologies and assumptions that the Director used in preparing the assessment.

Specify that the Legislature reproduce and distribute assessments in the same manner as it reproduces and distributes amendments. Require that a bill draft that requires an assessment by the Director of State Courts must have that requirement noted on its jacket when the jacket is prepared. Specify that when a bill that requires an assessment is introduced, the Legislative Reference Bureau must submit a copy of the bill to the Director. Specify that no public hearing before a standing committee may be held and no committee vote may be taken regarding any bill or bill draft that requires a prison impact assessment unless the assessment has been prepared.

Require the Director of State Courts to annually, by March 1, submit to the Legislature a prison impact assessment reflecting the cumulative effect of all relevant changes in the statutes taking effect during the preceding calendar year.

Require the Department of Corrections to provide the Director of State Courts with information on current and past admissions and on length of time served as needed by the Director to prepare the assessments. Require the Circuit Courts and the Office of Justice Assistance in the Department of Administration to provide the Director of State Courts with information to assist the Director in preparing the assessments.

Specify that the provision applies to bills introduced or requests for assessments for bill drafts made on or after July 1, 2002. Require DOA to transfer all records of the Sentencing Commission to the Director of State Courts as soon as possible after the effective date of the bill.

Conference Committee/Legislature: Modify the Senate provision as follows: (a) provide that the Legislative Fiscal Bureau, rather than the Director of State Courts, be responsible for the preparation of prison impact statements; (b) delete \$141,900 PR and 2.0 PR positions in 2001-02 and \$30,800 PR and 0.5 PR position in 2002-03; (c) provide GPR funding and positions to the Legislative Fiscal Bureau rather than the Director of State Courts; (d) specify that prison impact statements estimate the fiscal impact of population changes on state expenditures for the current fiscal year and on an annualized basis, rather than for the current fiscal year and the succeeding five fiscal years; (e) delete the provision that requires an analysis of any significant factor affecting the cost of a bill or bill draft and the factor's impact on prosecutors, the State Public Defender and courts; (f) delete the requirement that annually, by March 1, a prison impact assessment reflecting the cumulative effect of all relevant changes in the statutes taking effect during the preceding calendar year be submitted to the Legislature; (g) delete the requirement that DOA transfer all records of the Sentencing Commission as soon as possible after the effective date of the bill; and (h) in addition to requiring that Corrections provide the Fiscal Bureau with information on current and past admissions and on length of time served, require Corrections to provide any other information needed by the Fiscal Bureau in order to prepare the assessments.

Veto by Governor [D-26]: Delete provision. [See "Legislature."]

[Act 16 Vetoed Sections: 97m, 114v and 395 (as it relates to s. 20.765(3)(d))]